

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:)	
)	
BARBARA COACHMAN,)	
)	
Plaintiff,)	CASE NO. 1:07-CV-155
)	
v.)	
)	
MEDICAL DATA SYSTEMS, INC.)	
d/b/a MEDICAL REVENUE SERVICES,)	
INC.)	
)	
Defendant.)	
)	

JOINT MOTION TO STAY PROCEEDINGS

Defendant Medical Data Systems, Inc. ("MDS") and Plaintiff Barbara Coachman respectfully move this Court to grant this Joint Motion to Stay Proceedings in this matter. In support of this Motion, the parties show the Court the following:

1. On November 20, 2007, counsel for both Plaintiff and MDS conferred regarding this Motion and are in agreement as to the terms of this Motion as both parties believe that a resolution in *Cambron* will assist the parties in resolving this matter more efficiently and effectively. Counsel for plaintiff has consented to the filing of this Joint Motion to Stay Proceedings.
2. Specifically, in the consolidated case of *Cambron v. Medical Data Systems, Inc.* (also styled as *Carn v. Medical Data Systems, Inc.*), civil action numbers 1:07-cv-369 and 1:07-cv-370, the issue of the validity of a form debt collection letter sent by MDS to the plaintiffs under the FDCPA currently is under *de novo* review before the Honorable

Harold Albritton. The letter at issue in *Cambron* is the same as the letter at issue in this matter.

3. Additionally, on November 9, 2007, Your Honor stayed another related case, *Andrews v. Medical Data Systems, Inc.*, civil action no. 1:06-CV-729, pending a resolution of the *Cambron* matter. *Andrews* also involved the same collection letter as the letter at issue in this matter and *Cambron*.
4. Moreover, the Bankruptcy Court previously issued a stay in all of the cases pending before it that involved the same collection letter, pending a resolution of *Cambron*.
5. Plaintiff and MDS both recognize that the legal issues involved in the instant case are similar to the legal issues involved in these related cases and a resolution of *Cambron* will assist the parties to determine what further action is necessary, if any, in this matter.
6. In consenting to this Joint Motion to Stay Proceeding, neither Plaintiff nor MDS admits or concedes that *Cambron* indisputably determines the appropriate outcome of this litigation. Rather, both parties consent to the imposition of a stay in this matter pending the resolution of *Cambron* in the interest of judicial efficiency and to preserve the opportunity to pursue additional settlement possibilities as they may arise in the wake of *Cambron*.
7. Both MDS and Plaintiff agree to revisit the appropriateness of this stay, if granted by this Court, should resolution of the *Cambron* case not proceed in a timely manner.
8. An order granting this Consent Motion to Stay Proceedings is attached to this motion as "Exhibit A" for the convenience of the Court.

Respectfully submitted this 21st day of November, 2007.

CONSENTED TO BY:

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-- AND --

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2007, I electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

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/s/ J. Kirkman Garrett
OF COUNSEL

EXHIBIT “A”

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
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IN RE:

BARBARA COACHMAN,

Plaintiff,

v.

MEDICAL DATA SYSTEMS, INC.
d/b/a MEDICAL REVENUE SERVICES,
INC.

Defendant.

CASE NO. 1:07-CV-155

(PROPOSED)

ORDER TO STAY PROCEEDINGS

Now, after consideration of the merits and of the joint motion to stay proceedings submitted by Plaintiff Barbara Coachman and Defendant Medical Data Systems, Inc., IT IS HEREBY ORDERED AND ADJUDGED that the Joint Motion to Stay Proceedings in this matter is GRANTED.

Furthermore, all outstanding deadlines under the scheduling order in effect in this matter shall be tolled and reset as appropriate upon a termination of this stay.

So ordered this ____ day of _____, 2007

United States District Judge